

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 16-CR-21

SAMY HAMZEH,

Defendant.

ORDER

The government asks the court to modify Samy Hamzeh's conditions of release to "bar him from entering an airport or property adjacent to an airport." (ECF No. 186 at 3.) This motion was motivated by Hamzeh expressing an intention to pursue employment that included driving rental cars to and from General Mitchell International Airport in Milwaukee. Although Hamzeh has since abandoned his pursuit of this job, the government still seeks the restriction. The government argues that the restriction is necessary because, prior to his arrest, Hamzeh expressed a desire "to travel abroad in order to murder civilians." (ECF No. 186 at 3.) It also expresses concern that Hamzeh may flee. (ECF No. 186 at 3.)

A person on pretrial release must be “subject to the *least restrictive* further condition, or combination of conditions, that such judicial officer determines will *reasonably* assure the appearance of the person as required and the safety of any other person and the community.” 18 U.S.C. § 3142(c)(1)(B) (emphasis added). The court finds that the current conditions of release, which include GPS monitoring and the surrender of his passports, sufficient to reasonably assure Hamzeh’s appearance at trial and the safety of the community. Therefore, the imposition of the additional restrictions requested by the government would be inconsistent with 18 U.S.C. § 3142(c)(1)(B). Accordingly, the government’s motion (ECF No. 186) is **denied**.

SO ORDERED.

Dated at Milwaukee, Wisconsin this 18th day of October, 2018.


WILLIAM E. DUFFIN
U.S. Magistrate Judge